

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): Thomas J. LaLanne (Calif. Bar No. 55199) Law Offices of Thomas J. LaLanne 400 Harbor Drive Sausalito, CA 94965		TELEPHONE NO.:	FOR COURT USE ONLY
ATTORNEY FOR LIEN CLAIMANT: Kathryn D. Dean			
NAME OF COURT U. S. District Court, Eastern District of Pennsylvania STREET ADDRESS 601 Market Street MAILING ADDRESS CITY AND ZIP CODE Philadelphia, PA 19106 BRANCH NAME			
PLAINTIFF: In Re: NFL Players' Concussion Injury Litigation DEFENDANT:			
NOTICE OF LIEN (Attachment—Enforcement of Judgment)		CASE NUMBER: 2:12-md-02323-AB	

ALL PARTIES IN THIS ACTION ARE NOTIFIED THAT

- A lien is created by this notice under
 - ☐ Article 3 (commencing with section 491.410) of Chapter 11 of Title 6.5 of Part 2 of the Code of Civil Procedure.
 - ☒ Article 5 (commencing with section 708.410) of Chapter 6 of Title 9 of Part 2 of the Code of Civil Procedure.
- The lien is based on a
 - ☐ right to attach order and an order permitting the creation of a lien (copies attached).
 - ☒ money judgment.
- The right to attach order or the money judgment is entered in the following action:
 - Title of court (specify): **Superior Court of California, County of Alameda**
 - Name of case (specify): **Kathryn D. Dean v. James Harris, Jr., individually and dba Gabriel Ark Handyman**
 - Number of case (specify): **RG 15786917**
 - ☒ Date of entry of judgment (specify): **November 18, 2015 (please see exhibit 1)**
 - ☐ Dates of renewal of judgment (specify):
- The name and address of the judgment creditor or person who obtained the right to attach order are (specify):
Kathryn D. Dean, c/o Thomas J. LaLanne, 400 Harbor Dr., Sausalito, CA 94965
- The name and last known address of the judgment debtor or person whose property is subject to the right to attach order are (specify):
James Harris, Jr., 1501 Blake St., Apt. 310, Berkeley, CA 94703
- The amount required to satisfy the judgment creditor's money judgment or to secure the amount to be secured by the attachment at the time this notice of lien is filed is
\$ 7,333.00
- The lien created by this notice attaches to any cause of action of the person named in item 5 that is the subject of this action or proceeding and to that person's rights to money or property under any judgment subsequently procured in this action or proceeding.
- No compromise, dismissal, settlement, or satisfaction of this action or proceeding or any of the rights of the person named in item 5 to money or property under any judgment procured in this action or proceeding may be entered into by or on behalf of that person, and that person may not enforce any rights to money or property under any judgment procured in this action or proceeding by a writ or otherwise, unless one of the following requirements is satisfied:
 - the prior approval by order of the court in this action or proceeding has been obtained;
 - the written consent of the person named in item 4 has been obtained or that person has released the lien; or
 - the money judgment of the person named in item 4 has been satisfied.

NOTICE The person named in Item 5 may claim an exemption for all or any portion of the money or property within 30 days after receiving notice of the creation of the lien. The exemption is waived if it is not claimed in time.

Date: November 24, 2015

Thomas J. LaLanne
(TYPE OR PRINT NAME)

(SIGNATURE OF LIEN CLAIMANT OR ATTORNEY)

EXHIBIT 1

1 Thomas J. LaLanne (SBN 55199)
 2 LAW OFFICES OF THOMAS J. LaLANNE
 3 400 Harbor Drive
 4 Sausalito, CA 94965
 5 Tel: (415) 434-1122
 6 Fax: (415) 434-1125

FILED
 ALAMEDA COUNTY

NOV 18 2015

Attorney for Petitioner
 KATHRYN D. DEAN

By 

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 UNLIMITED JURISDICTION
 IN AND FOR THE COUNTY OF ALAMEDA**

KATHRYN D. DEAN,

Petitioner,

vs.

JAMES HARRIS, JR., individually and dba
 GABRIEL ARK HANDYMAN SERVICE,

Respondent.

No. RG 15786917

**ORDER EXONERATING
 MECHANIC'S LIEN
 RELEASE BONDS**

[Civil Code §8480 et seq.]

Date: November 2, 2015
 Time: 1:30 p.m.
 Dept: 14
 Reservation #: 1670628

The verified petition of KATHRYN D. DEAN ("Dean") for an order exonerating mechanics lien release bonds was scheduled for hearing on November 2, 2015 at 1:30 p.m., in Department 14 of the above-entitled court, the Honorable Evelio Grillo presiding. The tentative ruling on the petition was announced on October 30, 2015. Since neither party has contested the tentative ruling, it becomes the final ruling of the Court.

On October 29, 2014, respondent JAMES HARRIS, JR., individually and dba GABRIEL ARK HANDYMAN SERVICE ("Harris") recorded a mechanic's lien as Document No. 2014262052 in the Official Records of Alameda County; and on November 3, 2014, Harris recorded a mechanic's lien as Document No. 2014265843 in the Official Records of Alameda County (collectively "the Mechanics Liens"). The Mechanic's Liens affected title to improved real property owned by petitioner KATHRYN D. DEAN ("Dean") known as and located at 1910 Russell St., Berkeley,

1 California 94703 ("the Property"), and which is more particularly described on Exhibit A, attached
2 hereto.

3 In order to sell the Property free of the Mechanics Liens, on November 26, 2015 Dean
4 recorded Release of Lien Bonds as Documents No. 2014286335 and 2014286336 in the Official
5 Records of Alameda County ("the Bonds"). On March 11, 2015, Dean gave notice of the recordation
6 of the Bonds to Harris as required by law.

7 More than six months have elapsed since Dean gave notice to Harris of the Bonds, and Harris
8 has not filed an action to foreclose the Mechanics Liens. Under the provisions of Civil Code §§
9 8424(d) and 8460, the Mechanics Liens have become null and void.

10 After consideration of the moving, opposition and reply papers, and of the argument of
11 counsel and parties,

12 NOW, THEREFORE, IT IS ORDERED THAT,

13 1. The petition to exonerate mechanics lien release bonds (recorded as Documents No.
14 2014286335 and 2014286336 in the Official Records of Alameda County) is granted; and

15 2. Petitioner Kathryn D. Dean is awarded the sum of \$6,000.00 in attorneys fees and her
16 costs incurred in this action in the amount of \$1,333.00.

17 Dated:

18 NOV 18 2015

19 
HONORABLE EVELIO GRILLO
JUDGE OF THE SUPERIOR COURT

20 Approved as to form:

21
22
23 James Harris Jr., individually and dba
Gabriel Ark Handyman Service

EXHIBIT A

ORDER NO. : 1112020840-AW

EXHIBIT A

The land referred to is situated in the County of Alameda, City of Berkeley, State of California, and is described as follows:

A portion of Lots 2 and 4 in Block 11, as said Lots and Block are shown on the "Amended Map of The Central Park, Alcatraz and Newbury Stations, Oakland Township", filed March, 14, 1889, in Book 10, Page 40 of Maps, in the Office of the Recorder of the County of Alameda, described as follows:

Beginning at a point on the Southern line of Russell Street, distant thereon Westerly 122.88 feet from the intersection thereof with the Western line of Otis Street as said Streets are shown on the Map herein referred to; running thence Southerly parallel with said line of Otis Street, 92.22 feet to the Southern line of Lot 4 in Block 11, as said Lot and Block are shown on the Map herein referred to; running thence Easterly along said Lot 4, 22.50 feet; thence Northerly parallel with said line of Otis Street, 14 feet; thence Easterly parallel with said Southern boundary line of said Lot 4, 13 feet; thence Northerly parallel with said line of Otis Street to the Southern line of Russell Street; thence Westerly along said last mentioned line 35.62 feet, more or less, to the point of beginning.

APN: 053-1599-002

PROOF OF SERVICE

I declare that:

I am employed in the County of San Francisco, am over the age of eighteen years, not a party to the within action, and my business address is 369 Broadway, San Francisco, CA 94133.

On this date I caused to be served the within document on the party/parties in said action

NOTICE OF LIEN

☒ (By mail) by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid in the United States Mail at San Francisco, California addressed as follows:

☐ (By overnight courier) by placing a true copy thereof enclosed in a sealed envelope with delivery charges prepaid to be sent by Federal Express as follows:

☐ (By fax) by causing each document to be sent by fax transmission from (415) 434-1125, the transmission of which was reported as complete and without error as follows:

☐ (By email) by causing each document to be sent by email from tom@lalannelaw.com, the transmission of which was reported as complete and without error as follows:

☐ (By hand) by causing a true copy thereof enclosed in a sealed envelope to be personally delivered as follows:

Mr. James Harris, Jr., individually and
dba Gabriel Ark Handyman Service
1501 Blake St., Apt. 310
Berkeley, CA 94703

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: November 24, 2015

